

July 9, 1997

OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON
700 Central Building 810 Third Avenue
Seattle, Washington 98104
Phone (206) 296-4660 Fax (206) 296-1654

MODIFICATION OF NOTICE OF KING COUNTY CODE VIOLATION
AND CIVIL PENALTY ORDER, AND DISMISSAL OF APPEAL.

SUBJECT: Department of Development and Environmental Services File No. **E9601294**

CARL & SHEENA SANDERS
Code Enforcement Appeal

Location: 38032 - 248th Avenue SE, Enumclaw

Appellants: Carl & Sheena Sanders
Represented by:
Barry C. Kombol
Attorney At Law
PO Box 100
Black Diamond, WA 98010

SUMMARY OF RECOMMENDATIONS:

| | |
|---------------------------|---|
| Department's Preliminary: | Deny appeal |
| Department's Final: | Modify Notice and Order; dismiss appeal |
| Examiner: | Modify Notice and Order; dismiss appeal |

PRELIMINARY MATTERS:

Notice of appeal received by Examiner: May 23, 1997
Statement of appeal received by Examiner: May 23, 1997

EXAMINER PROCEEDINGS:

Hearing Opened: June 30, 1997
Hearing Closed: June 30, 1997

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes.
A verbatim recording of the hearing is available in the office of the King County
Hearing Examiner.

Having reviewed the record in this matter, the Examiner now makes and enters the following:

DECISION:

Upon agreement of the parties, the Notice of King County Code Violation: Civil Penalty Order: Abatement Order: Notice of Lien: Duty to Notify ("Notice and Order"), issued by the King County Department of Development and Environmental Services on April 3, 1997, is modified as follows:

The dates set forth in the section stating requirements to bring this property into compliance are hereby amended to those set forth below:

1. Discontinue the construction and trade business and remove all associated equipment and land clearing debris by October 1, 1997.
2. Apply for and obtain a valid grading permit for filling, grading and/or excavating with complete application to be submitted by August 1, 1997.
3. Implement approved, erosion-sedimentation control measures and cover all disturbed areas with straw mulch to 2 inches in thickness by August 1, 1997.
4. Remove fuel tank or apply for a permit for the tank by October 1, 1997.
5. Discontinue use of the agricultural storage building as a commercial garage/business use, and motor vehicle fuel-dispensing station by October 1, 1997.

Pending the accomplishment of compliance, the hours of operation of the appellant's business and commercial activities on the subject property shall be limited to 7 a.m. to 7 p.m., Monday through Friday; and the appellant shall continue to maintain SE 380th Street.

The appeal of Carl and Sheena Sanders of the April 3, 1997 Notice and Order, as modified, is withdrawn. The Notice and Order, as modified, shall be in full force and effect and is enforceable by the King County Department of Development and Environmental Services.

Pursuant to the foregoing, this proceeding is DISMISSED.

ORDERED this 9th day of July, 1997.

James N. O'Connor
King County Hearing Examiner

TRANSMITTED this 9th day of July, 1997, by certified mail, to the following parties:

Barry Kombol
Attorney At Law
PO Box 100
Black Diamond, WA 98010

Carl & Sheena Sanders
24027 SE 371st Street
Enumclaw, WA 98022

TRANSMITTED this 9th day of July, 1997, to the following:

Bill Barrett
PO Box 706
Enumclaw, WA 98022

Glen & Peggy Kammers
24717 SE 390th Street
Enumclaw, WA 98022

Beth Deraitus, DDES/Bldg. Services
Gay Johnson, DDES/Bldg. Services

Ken Dinsmore, DDES/Bldg. Services
Fred White, DDES/LUSD

NOTICE OF RIGHT TO APPEAL

Pursuant to Chapter 20.24, King County Code, the King County Council has directed that the Examiner make the final decision on behalf of the County regarding code enforcement appeals. The Examiner's decision shall be final and conclusive unless within twenty (20) days from the date of the decision an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the decision.

MINUTES OF THE JUNE 30, 1997 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. E9601294 - SANDERS:

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing were Ken Dinsmore, Elizabeth Deraitus, Barry Kombol, and Carl Sanders.

No exhibits were entered into the record.

JNOC:var
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